

## REMARKS

This response shall substitute the response filed on March 10, 2011 in its entirety.

Claims 22-42 will be pending upon entry of the above amendments. Claims 22, 23, 25, 26, 31, and 32 have been amended. Claims 40-42 have been added. No claims have been cancelled. Support for the claim amendments may be found throughout the specification and figures, for example, at paragraphs [0036], [0042], and Figure 3. No new matter has been added.

### *Interview Summary*

Examiner Santiago is thanked for the telephone conversation conducted on March 15, 2011. Claim amendments filed in the response dated March 10, 2011 and the asserted art were discussed. Clarifying amendments to better place the application in condition for allowance were discussed. It appears that the clarifying amendments will overcome the asserted art; however, no agreements were reached. Examiner Santiago indicated that she will consider amendments and remarks submitted in a supplemental response. Accordingly, per Examiner's request, the herein supplemental response is being filed.

### *Claim Objection*

Claims 23 is objected to for containing informalities. Claim 23 has been amended address the objection. Withdrawal of the claim objection to claim 23 is respectfully requested.

### *Rejections under 35 U.S.C. § 103(a)*

Claims 22-39 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over U.S. Patent No. 7,053,780 ("Straub") in view of various combinations of U.S. Patent No. 6,177,873 ("Cragun"), U.S. Patent Publication No. 2004/10080/430 ("Videtich"), U.S. Patent No. 5,444,433 ("Gropper"), U.S. Patent No. 6,850,604 ("Cannell"), U.S. Patent No. 6,710,715 ("Deeds"), U.S. Patent No. 6,728,522 ("Marrah"), and U.S. Patent No. 7,233,781 ("Hunter").

As amended, independent claim 22 recites "***presenting an option*** to suspend a call in progress; providing a periodic reminder of the emergency alert broadcast ***upon receipt of a first manual selection to decline to suspend a call in process***... and suspending the call in progress and providing the emergency alert notification based on the coded information ***upon***

*receipt of a second manual selection to suspend the call in progress” (emphasis added),* independent claim 31 recites “*provide an option to suspend a call in progress; provide a periodic reminder of an emergency alert broadcast upon receipt of a first manual selection to decline to suspend a wireless telephone call in process ... and suspend the call in progress and provide the notification upon receipt of a second manual selection to suspend the call in progress,*” and claim 32 recites “*providing an option to suspend a call in progress; providing a reminder associated with the weather alert broadcast upon receipt of a first manual selection to decline to suspend a call in process... and providing information associated with the weather alert broadcast upon receipt of a second manual selection to suspend the call in progress”* (emphasis added). None of the asserted references teaches or even suggests the claimed subject matter.

Gropper does not teach or suggest *providing an option to suspend a call in progress*, and providing a periodic reminder or providing information related an emergent alert notification depending upon on *manually selected* option, as claimed. The Office Action suggests that Gropper teaches “providing a reminder of the emergency alert broadcast upon receipt of a first indication to decline to suspend a call in process,” because Gropper discloses that “re-transmission should be set in a subservient role” (see Office Action – Page 5). This suggestion is respectfully traversed.

Gropper is directed to a weather alert system with two communication systems. The first communication system receives emergency alert, and the second communication system transmits a pre-recorded alert message for a number of cycles. The pre-recorded alert message is mixed with audio received at the second communication system for simultaneous transmission (Gropper, Abstract). The second communication system also handles retransmission of weather alert broadcasts. According to Gropper, re-transmission “should be” set in a subservient role to nay other ongoing communication on the second communication system, and rebroadcasts are set to be “completely and automatically” overridden by audio (Gropper, col. 9 line 50-col. 10, line 8). In other words, the Gropper system does not allow a user to choose whether to proceed with an ongoing communication or to suspend the ongoing communication and listen to the weather alert. In contrast to *providing an option to suspend a call in progress* and acting accordingly to the *manually selected* option, as claimed, the Gropper system does not provide such an option to the user,

but instead “completely and automatically” overwrites alert rebroadcasts with ongoing communications. Therefore, Gropper fails to teach or suggest *providing an option to suspend a call in progress*, and providing a periodic reminder or providing information an emergent alert notification depending upon on the *manually selected* option, as claimed.

Straub, Cragun, Videtich, Cannell, Deeds, Marrah, and Hunter individually or in combination with each other or with Gropper do not disclose, teach, or suggest *providing an option to suspend a call in progress*, and providing a periodic reminder or providing information an emergent alert notification depending upon on the *manually selected* option, as claimed.

Therefore, it is respectfully submit that independent claims 22, 31 and 32 patentably define over the asserted references as applied. Additionally, as claims 23-30 ultimately depend from independent claim 22 and claims 33-39 ultimately depend from independent claim 32, it is further respectfully submitted that dependent claims 23-30 and 33-39 patentably define over the references as applied.

Accordingly, withdrawal of the rejection of claims 22-39 under 35 U.S.C. § 103(a) is requested.

Further, claim 40 has been added to recite that “the microcontroller is further configured to determine the expiration date and time of the emergency by adding an expected time duration for which the emergency alert broadcast is valid to an issuance date and time of the emergency alert broadcast,” and claims 41 and 42 have been added to recite that “the microcontroller is further configured to provide a sensory alert associated with the emergency alert broadcast”. It is respectfully submitted that the asserted references do not disclose, teach, or suggest the subject matter recited in the newly added claims 40-42. Therefore, an indication of allowability is respectfully requested.

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**PATENT**

### **CONCLUSION**

In view of the foregoing amendments and remarks, the instant application is in condition for allowance. Favorable consideration and passage to issue of the application at the Examiner's earliest convenience is earnestly solicited.

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